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August 13, 2012

Hon. Catherine O'Hagan Wolfe
Clerk of the Court
United States Court of Appeals
for the Second Circuit
40 Foley Square
New York, NY 10007

Re: *Kachalsky v. Cacace*, Nos. 11-3642 & 11-3962

Dear Ms. Wolfe:

The State Defendants submit this Rule 28(j) letter to call the Court's attention to the attached order of the United States Court of Appeals for the Fourth Circuit in *Woppard v. Gallagher*, No. 12-1437 (4th Cir. Aug. 1, 2012). This order grants a stay pending appeal of the district court's decision in *Woppard v. Sheridan*, No. L-10-2068, 2012 WL 695674 (D. Md. Mar. 2, 2012), which the Plaintiffs-Appellants-Cross-Appellees relied upon at pages 2, 8, 9, 25, 31, 33, and 43-45 of their Combined Response and Reply Brief.

Respectfully submitted,

/s/

Simon Heller
Assistant Solicitor General

cc (by ECF): Alan Gura, Esq.
Thomas Gardiner, Esq.